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**THOMAS F. EAGLETON:
A MAN OF CHARACTER, CONSCIENCE, AND COMPASSION**

EDWARD L. FILIPPINE*

It was November, 1962. John F. Kennedy was President of the United States; the Cuban missile crisis had just ended; the midterm congressional elections were history; and Thomas F. Eagleton was Attorney General of Missouri. I knew Tom casually. Enough to exchange greetings and perhaps a moment of small talk, but we were not social friends and had never worked together, in or out of politics. It was at that time while attending a function, which I must confess I cannot now identify, that Tom approached me and out of the blue began to lay out his plans to run for the office of Lieutenant Governor of Missouri in 1964. To say the least, his confiding in me was a surprise, but not nearly as much as when he ended by asking me to work with him on that campaign. Within a few days I called him and agreed to help. Thus began a political relationship and lasting friendship that would immeasurably change, and certainly enhance, my life.

Senator Thomas F. Eagleton was truly an extraordinary person. He was brilliant, a great intellect, a man whose thinking and writing were clear and concise, an exceptional orator with timely and penetrating wit, and a public servant who truly cared about people. He had no difficulty in attracting followers, but those he actually associated with were bright, dedicated, and loyal. (I met the last two criteria, but many have questioned if I qualified for the first.) His qualities made him an outstanding leader but without a sense of, or concern for, organization or details. Those things he delegated to others. His time and talents were consumed by issues, how to isolate and solve problems, and always how to help others.

Senator Eagleton's career and accomplishments are deserving of public acclaim and undoubtedly they will be the subject of much discussion and many articles. But today I would like to go beyond his public life and tell you of the man I knew: the man of character, the man of conscience, the man of compassion.

His compassion manifested itself in a number of ways, including his thoughtful generosity. Few realized the depth of that generosity primarily because he kept that part of his life very private. In fact, for me to have

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mentioned this during his lifetime would have embarrassed and upset him, and I would have heard about it in no uncertain terms. Since caring and generosity, however, were a significant part of the man, allow me to relate one instance, but keep in mind that it was only one of many. It concerns the Senator and a young man who he thought needed help. To some, this may seem trivial, but to Tom and the other person involved, it was very important.

The name of this young man is unknown to me and, most probably, to Tom as well. He had lost both his legs and sat patiently in his wheelchair outside a specific gate at Busch Stadium whenever the Cardinals played. Tom and I attended many Cardinal games as he was a devoted fan dating back to his youth when his father, who was on the Cardinals' Board of Directors, took him to spring training almost every year. Each time we left the ballpark, Tom would leave through the same gate. There is no question in my mind that his route was influenced by the presence, or probability of the presence, of that young, disabled man. Whenever we saw him, at the optimum time, Tom would lag behind a step or two to allow for his unobtrusive contribution, always a twenty dollar bill. To him it was not a "hand out" but an honest and almost necessary act of helping a fellow man.

In July, 1972, the Senator was nominated to run for Vice President by the Democratic Convention; but because of past medical circumstances, in less than three weeks he was asked to retire from the ticket. Senator McGovern and Senator Eagleton agreed to meet in the Senate cloakroom to work out the timing and other details of the announcement. No one, other than the late Senator Gaylord Nelson of Wisconsin who was their mutual friend, was to join them. The decision was made to call a press conference that evening and make the announcement.

Time was short and there was much to do and probably for Senator Eagleton, much to think about. So Tom called me and asked if I would contact his aunt and a few others and advise them of the announcement. He wanted to prepare them for this startling news. Of course I agreed, and then something happened that I will never forget. There was a pause and I heard Tom say, "Are you all right?" At first, I was somewhat taken back and frankly did not fully understand what he meant. But before I could speak, he went on to say that in life there are many bumps in the road, that life goes on, and I should not let this get me down, etc. I use "etc." because at that point my mind wandered and I did not hear clearly all that he said. I was thinking—here was Tom Eagleton, a highly respected, very successful person who was revered and looked up to by many, a man who now was about to be removed from the national Democratic ticket in a most public and unceremonious way—and yet, he was concerned about my feelings and how this would affect me, his aunt, and others. My answer was brief. I assured him that I was "all right"; but the impact of his concern for others at a time of such personal stress was incredible and spoke more highly of him than I could ever hope to.

Senator Eagleton was a political giant but an even greater man. The character of the man always directed him politically. Some things caused his blood to boil and he had his moments of emotion, but his reason and common sense always won out in the end. He never held a grudge nor tried to retaliate. But rather than ramble on with my own point of view, allow me to relate the following facts and let you come to your own conclusion.

After the 1972 election, the Watergate investigation intensified. President Nixon's administration was besieged and only Vice President Spiro Agnew appeared to be above the fray. Then suddenly matters totally unrelated to Watergate came to light concerning the Vice President. He was indicted, pleaded *nolo contendere*, was sentenced and resigned from office.¹ Under the Twenty-Fifth Amendment to the United States Constitution, the President was to nominate a new Vice President who would take office after confirmation by a majority vote of both Houses of Congress.²

Gerald R. Ford was nominated and his confirmation seemed assured.³ Mr. Ford had served honorably for many years in the Congress,⁴ was a man of integrity and well liked. That describes perfectly Senator Eagleton's opinion of him. But even then Tom believed that President Nixon would not remain President much longer, that he would either be impeached or resign. Consequently, he saw this vote as one not only for Vice President but for the next President as well. Although he had a high opinion of Gerald Ford, he believed the time following President Nixon's departure would be very turbulent and the next President would inherit a most difficult job. For the country's sake, that person had to be extraordinary, a cut above, unique. He could not vote to confirm Mr. Ford.

But it appeared that Mr. Ford would be confirmed overwhelmingly. Three or four times before the vote, I spoke with the Senator. I explained my point of view—that the country wanted and needed calm and solidarity; that by our count there were at most only six votes against and unanimity was important. I even mentioned that since he had been removed as the Vice Presidential nominee in 1972, it might appear as a personal matter and his vote could be read as “sour grapes.” Nothing could change his vote. It was one of conscience. On November 27, 1973, the Senate confirmed Mr. Ford 92–3.⁵

1. Joel K. Goldstein, *Can The Vice President Preside At His Own Impeachment Trial?: A Critique of Bare Textualism*, 44 ST. LOUIS U. L.J. 849, 849 (2000).

2. U.S. CONST. amend. XXV.

3. 2 ENCYCLOPEDIA OF THE AMERICAN PRESIDENCY 647 (Leonard W. Levy & Louis Fisher eds., 1994); Benton Becker, *Cordell Hull Speakers Forum: The History of the Nixon Pardon*, 30 CUMB. L. REV. 31, 32 (2000).

4. *See id.* at 646–47.

5. 119 CONG. REC. 38225 (1973).

Tom was one of the three dissenters.⁶ Nine days later, Mr. Ford was confirmed by the House.⁷

I had been right about the mood of the country and following that vote, Tom was treated coolly, even by some Democrats who had been our strong supporters. He never made any excuse or tried to explain his vote but simply continued to do his job as he saw it.

On August 9, 1974, President Nixon resigned and Gerald R. Ford became the 38th President. A month later, on September 8th, President Ford issued a proclamation granting ex-President Nixon a preemptive pardon for any crimes he may have committed against the United States while President.⁸ He explained his action as necessary to end a tumultuous time and bring back stability.⁹ The reaction in many quarters was not favorable to the President. There were suggestions and insinuations that there had been a “deal.”¹⁰ In fact, President Ford voluntarily appeared before the House Judiciary Committee looking into the matter and gave sworn testimony, the first time a sitting president had done so.¹¹ Many, including some who had reacted coolly to Tom because of his vote on the Vice Presidency, praised him as one who had sensed what was really going on.

Some politicians would have grabbed the opportunity to profit by these events. All Senator Eagleton had to do was smile and say nothing. But his vote had been cast because of his honest belief and not because of any negative thoughts as to Mr. Ford. He would not exploit the matter. Instead he denounced any such insinuation or inference, repeating that he believed President Ford was a good, honest man who acted for the reasons he had stated and not for any personal advantage. Conscience again was at the forefront, and we saw the Senator actually defending the President.

What an ironic situation. Senator Eagleton voted against Mr. Ford and was criticized. He then came to his defense which evoked additional criticism. What kind of man puts himself in such a position and why? The answer is—a man of exceptional integrity, a remarkable public servant who acts out of conscience, and does what is right as he sees it regardless of the consequences. That was Senator Thomas F. Eagleton, and that is why I am very proud to have worked with him and to have been his friend.

6. *Id.*

7. 119 CONG. REC. 39899 (1973).

8. Proclamation No. 4311: Pardon for Former President Nixon, WEEKLY COMP. PRES. DOC. 1103 (Sept. 8, 1974).

9. See Pardon for Former President Nixon: The President's Remarks Announcing His Decision To Grant the Pardon, WEEKLY COMP. PRES. DOC. 1102 (Sept. 8, 1974).

10. Becker, *supra* note 3, at 46.

11. *Id.*